

04-16-02

1641
PHH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-034)

RECEIVED

APR 18 2002

TECH CENTER 1600/2900

In the Application of:

Sarah S. Bacus

Serial No.: 09/760,119

Filing Date: January 12, 2001

For: Method for Determining the Response to
Cancer Therapy

Examiner:

Group Art Unit: 1641

TRANSMITTAL LETTER

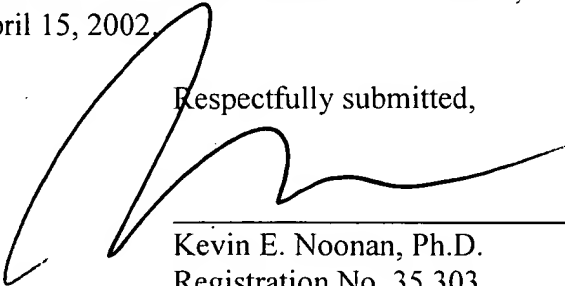
Asst. Commissioner for Patents
Washington, D.C. 20231

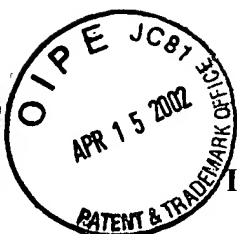
Dear Sir:

- In regard to the above identified application,
1. We are transmitting herewith the attached:
 - a) Information Disclosure Statement;
 - b) PTO Form 1449; and cited references
 - c) Return postcard
 2. With respect to fees:
 - a) No fees are required
 - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage Express Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on April 15, 2002.

Respectfully submitted,

Date: 15 April 2002


Kevin E. Noonan, Ph.D.
Registration No. 35,303



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE **RECEIVED**
(Case No. 01-034)

APR 18 2002

TECH CENTER 1600/2900

In the Application of:)
Sarah S. Bacus)
Serial No.: 09/760,119)
Filing Date: January 12, 2001)
For: Method for Determining the Response to)
Cancer Therapy)
Examiner:)
Group Art Unit: 1641)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references cited below are enclosed. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief be in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned representative by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

U.S. Patent Documents

- 5,252,487
- 5,288,477

Foreign Patent Documents

WO 93/03741 Bacus Sarah et al. March 4, 1993

Other Documents

Byrne et al., "Cisplatin and Gemcitabine Treatment for Malignant Mesothelioma: A Phase II Study", J. Clin. Oncol. 17:25-29 (1999).

Chang et al., "Role of p53 and p21^{waf1/cip1} in senescence-like terminal proliferation arrest induced in human tumor cells by chemotherapeutic drugs", 1999, Oncogene 18:4808-18.

Dimri et al., "A Biomarker that Identifies Senescent Human Cells in Culture and in Aging Skin in Vivo", 1995, Proc. Natl. Acad. Sci. U.S.A. 92:9363-67.

Dolbeare et al., "Flow Cytometric measurement of total DNA content and incorporated bromodeoxyuridine", 1983, Proc. Natl. Acad. Sci. U.S.A. 80:5573-77.

Gu et al., "Inhibition of CDK2 activity in vivo by an associated 20K regulatory subunit", 1993, Nature 366:707-10.

Halevy et al., "Correlation of Terminal Cell Cycle Arrest of Skeletal Muscle with Induction of p21 by MyoD", 1995, Science 267:1018-21.

Hong et al., "Antagonism of p53-dependent Apoptosis by Mitogen Signals¹", 1999, Cancer Res. 59:2847-52.

Kastan et al., "Participation of p53 Protein in the Cellular Response to DNA Damage", 1991, Cancer Res. 51:6304-11.

Kuerbitz et al., "Wild-type p53 is a cell cycle checkpoint determinant following irradiation", 1992, Proc. Natl. Acad. Sci. U.S.A. 89:7491-95.

Kwok and Sutherland, "Enhancement of Sensitivity of Human Squamous Carcinoma Cells to Radiation by Epidermal Growth Factor", 1989, J. Natl. Cancer Inst. 81:1020-24.

Kwok and Sutherland, "Epidermal Growth Factor Reduces Resistance to Doxorubicin", 1991, Int. J. Cancer 49:73-76.

Lane, 1992, "p53, guardian of the genome", Nature 358:15-16.

Liu et al., "Regulation of p21^{WAF1/CIP1} Expression through Mitogen-activated Protein Kinase Signaling Pathway", 1996, Cancer Res. 56:31-35.

Luo et al., "Cell-cycle Inhibition by Independent CDK and PCNA binding domains in p21^{Cip1}", 1995, Nature 375:159-61.

Mendelsohn, "The epidermal growth factor receptor as a target for therapy with antireceptor monoclonal antibodies", 1990, Semin. Cancer Biol. 1:339-44.

Sherr and Roberts, "Inhibitors of Mammalian G1 cyclin-dependent kinases", 1995, Genes Dev. 9:1149-63.

Sionov and Haupt, "The cellular response to p53: the decision between life and death", 1999, Oncogene 18:6145-57.

Wang et al. "Induced p⁵³ expression in lung cancer cell line promotes cell senescence and differentially modifies the cytotoxicity of anti-cancer drugs", Oncogene 17:1923-30.

Wouters et al., "A p53 and apoptotic independent role for p21 in tumour response to radiation therapy", 1999, Oncogene 18:6540-45.

Date: April 15, 2002

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Kevin E. Noonan
Reg. No. 35,303